



COMMITTEE MEETING MINUTES

2018 Indiana Residential Code Committee

Indiana Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Room 29

Wednesday, December 19, 2018

1. The 2018 Indiana Residential Code Committee (Committee) meeting was called to order by Chairman Furnish at 9:01 a.m. on Wednesday, December 19, 2018.

(a) Committee Members present at the meeting:

Mark Demerly (arrived at 9:16 a.m.)
Greg Furnish, Chairman
Phil Gettum
Randy Gulley
Joe Heinsman
Bill Kaufholz
Hank Kidwell
Lynn Madden
Michael Popich
Braden Prochnow
Craig Wagner

(b) Committee Members not present at the meeting:

(c) Departmental Staff present at the meeting:

Doug Boyle, FPBSC Director & IRCC Committee Secretary, IDHS
Justin Guedel, Staff Attorney, IDHS
Craig Burgess, State Building Commissioner, IDHS (attended part of the meeting)

2. Roll Call/Attendance

Chairman Furnish conducted roll call, and noted that ten voting members were present.

Mark Demerly arrived at 9:16 a.m. As such, all voting members of the Committee were present, and the Committee achieved a full quorum. IDHS staff Justin Guedel, Doug Boyle, and State Building Commissioner Craig Burgess were also present. Attendance was also taken by an attendance sheet. Fourteen guests, Lowell Weber (IABO/City of Greenwood), Mike Zehner (SIBA), Bill Pedtke (SIBA), Ronald Dauby (SIBA), Clayton Napier (Owen County), Rob Amos (Amos Exteriors), Brenna Driver (Owens Corning), Jennifer Ping (Bose Public Affairs Group), Don Iverson (NEMA), Kevin Arnold (Eaton Corporation), Stephen Rood (Legrand International), Carlie Hopper (IBA), Tim McClintock (NFPA), and Charlie Eldridge (IPL), were also present and signed the attendance sheet.

3. Committee Action on Meeting Minutes from Tuesday, November 20, 2018

Chairman Furnish asked the Committee to take a few minutes to carefully review the meeting minutes from the Committee's Wednesday, November 20, 2018 meeting, and then called for any additions or amendments to the minutes. Michael Popich advised that the "4 feet (1292mm)" measurement provided in the amendment to Proposal #313 needed to be corrected to 4 feet (**1219mm**). Craig Wagner advised that there was a typo in the title of the meeting minutes that the Committee reviewed at the November 20, 2018 meeting. The title needed to be corrected to "**Wednesday, October 17, 2018.**" Michael Popich asked the Committee to clarify that the intention of Proposal #353 is only to delete Exception 2 of Section R310.1 without substation. The Committee clarified that only Exception 2 will be deleted from Section R310.1. Craig Wagner advised that the fiscal impact statement provided with Proposal #328 in the minutes needed to be corrected to state that Proposal #328 will have a fiscal impact of \$584,000 in **savings** from the requirements of the 2018 International Residential Code (2018 IRC), even though Proposal #328 reflects current rule. The Committee was tasked with estimating fiscal between the proposals and the 2018 IRC model code. Hearing no other additions or amendments, Randy Gulley made the motion to approve the minutes with the three noted amendments. Bill Kaufholz seconded the motion. The motion was voted on and carried.

4. Final Review of Proposals for Code Change to the 2018 IRC

The Committee reviewed the final proposal for code change submissions to the 2018 IRC. Before reviewing the proposals, Chairman Furnish advised the Committee that certain proposals would need to acquire at least two-thirds (2/3) of the Committee's votes (8 voting members) to be reopened for discussion, if the Committee had already approved a proposal to the same section. Public input would not be permitted on such proposals unless the Committee opened the proposals for discussion. The Committee took the following actions on the submitted proposals for code change:

362. Table R301.2(1) Climatic and geographic design table. [Bill Kaufholz]

- Proposal #362 needed 2/3 of the Committee's votes to be opened for discussion (Proposal #33 was approved as amended by the Committee at the 5/16/18 meeting).
- **PROPOSAL OPENED FOR DISCUSSION UPON ACQUIRING 2/3 VOTE (7 VOTES IN FAVOR OF 10 MEMBERS PRESENT FOR THE VOTE).**
- Motion to deny; seconded.
- **MOTION TO DENY FAILED FOR LACK OF MAJORITY BY HAND VOTE (6-5 AGAINST THE MOTION).**
- Fiscal Impact: Proposal will have an approximately **\$2,344,666.67 credit (14,068 homes × 2/3 of homes × \$250.00 ice-water shield underlayment cost estimate = \$2,344,666.67)** from the 2018 IRC. If adopted, the fiscal impact will be **neutral**, since the proposal reflects the current Indiana Residential Code requirements.
- Motion to approve as submitted; seconded.
- **APPROVED AS SUBMITTED WITH NOTED FISCAL IMPACT BY HAND VOTE (6-5 IN FAVOR OF MOTION).** Proposal #362 reverses the approved amendment to Proposal #33 in the draft rule. As such, the new draft rule reflect the "Yes" or "No" ice shield underlayment requirement designations currently listed in Table 301.2(1) in the 2005 Indiana Residential Code (675 IAC 14-4.3-6). Table 301.2(1) in Proposal #362 is still otherwise approved, and will be promulgated in the new draft rule, with the one noted exception to the ice shield underlayment requirement.

363. Section R314.2.2 Alterations, repairs, and additions. [Phil Gettum]

- Proposed Amendment(s): In newly proposed Exception #3, add the word "existing" between the words "for" and "rooms," so Exception #3 will read as follows: "Electrical installations or alterations for existing rooms other than newly constructed or relocated bedrooms."
- Fiscal Impact: Proposal will be fiscally **neutral**.
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED WITH NOTED FISCAL IMPACT.**

364. Section R315.2.2 Alterations, repairs, and additions. [Phil Gettum]

- Proposed Amendment(s): In newly proposed Exception #3, add the word "existing" between the words "for" and "rooms," so Exception #3 will read as follows: "Electrical installations or alterations for existing rooms other than newly constructed or relocated bedrooms."
- Fiscal Impact: Proposal will be fiscally **neutral**.
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED WITH NOTED FISCAL IMPACT.**

365. Section R318.1.2 Field treatment. [Lynn Madden]

- Fiscal Impact: Proposal will have a **\$211,020 credit (14,068 homes × \$15.00 = \$211,020.00)** from the 2018 IRC.
- Motion to approve; seconded.

- **APPROVED AS SUBMITTED WITH NOTED FISCAL IMPACT.**

366. Section R405.2.3 Drainage system. [Phil Gettum]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

5. Break

The Committee recessed for a short break at 10:13 a.m., and reconvened at 10:24 a.m.

367. Section R408.7 Flood resistance. [Southwestern Indiana Builders Association]

- **WITHDRAWN.**

368. Section R703.8.6 Weepholes. [Lynn Madden]

- **PROPOSAL OPENED FOR DISCUSSION UPON ACQUIRING 2/3 VOTE (MORE THAN 8 VOTES IN FAVOR OF 11 MEMBERS PRESENT FOR THE VOTE).**
- Proposed Amendment(s): Insert “(Section R404)” next to “GROUTED FULL” in Figure R703.8.6(1) and Figure R703.8.6(2).
- Fiscal Impact: Proposal will have **no fiscal impact**. Proposal reflects current Indiana Residential Code requirements.
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED WITH NOTED FISCAL IMPACT.**

369. Section R905.1.2 Ice barriers. [Craig Wagner]

- **WITHDRAWN.**

370. Table N1102.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT.

[Lynn Madden]

- Proposal #370 needed 2/3 of the Committee’s votes to be opened for discussion (Proposal #151 was approved as amended by the Committee at the 7/18/18 meeting).
- **NOT OPENED FOR DISCUSSION – FAILED TO ACQUIRE 2/3 VOTES BY COMMITTEE TO BE OPENED FOR DISCUSSION.**

371. Table N1102.1.4 Equivalent U-Factors. [Lynn Madden]

- Proposal #371 needed 2/3 of the Committee’s votes to be opened for discussion (Proposal #193 was approved as amended by the Committee at the 8/22/18 meeting).
- **NOT OPENED FOR DISCUSSION – FAILED TO ACQUIRE 2/3 VOTES BY COMMITTEE TO BE OPENED FOR DISCUSSION.**

372. Section N1102.3.5 Sunroom fenestration. [Lynn Madden]

- Motion to deny; seconded.
- **DENIED.**

373. Section N1102.4.1 Building thermal envelope. [Bill Kaufholz]

- The Committee determined that the proposed requirements of Proposal #373 overlap with the requirements of Proposal #154, which was approved as submitted by the Committee at the 7/18/18 meeting. As such, it was determined that Proposal #373 and Proposal #154 needed 2/3 of the Committee's votes to be opened for discussion.
- **PROPOSALS #154 AND #373 OPENED FOR DISCUSSION UPON ACQUIRING 2/3 VOTE (MORE THAN 8 VOTES IN FAVOR OF 11 MEMBERS PRESENT FOR THE VOTE).**
- Proposed Amendment(s) to Proposal #373: In the provision of Section N1102.4.1, strike the added word "or" between Sections N1102.4.1.1 and N1102.4.1.2, and replace it with the word "and" (the original provisional language). In the title of Section N1102.4.1.1, strike the added title "Visual Inspection Option." and replace it with the title "Installation." (the original title). In the provision of Section N1102.4.1.1, strike the entire last sentence: "Where required by the *code official*, an *approved* third party shall inspect all components and verify compliance. local ordinance, an approved party independent from the installer of the insulation, shall inspect the air barrier and insulation." Change the title of Section N1102.4.1.2 from "Testing Option." to "Verification."
- Proposed Amendment(s) to Proposal #154: Change the title of Section N1102.4.1.2 from "Testing." to "Verification." In the provision of Section N1102.4.1.2, change the first sentence of the provision to the following: "The *building* or dwelling unit shall be visually inspected for verification of compliance with Table N1102.1.2 and Table N1102.1.4, or tested and verified as having an air leakage rate of not exceeding five air changes per hour."
- Fiscal Impact of Proposal #373: Committee noted that Proposal #373 as amended will create a fiscal impact of **\$984,900.00 in savings** from the requirements of the 2018 IRC.
- Fiscal Impact of Proposal #154: Committee determined that the additional amendments to Proposal #154 will not alter the fiscal impact of **\$703,400 in savings** from the requirements of the 2018 IRC, which was noted at the 7/18/18 meeting.
- At the end of the meeting, the Committee clarified that even though the noted fiscal impacts are an additive savings from the requirements of the 2018 IRC, Proposals #373 and #154 will be fiscally **neutral** to the current Indiana Residential Code if they are adopted.
- Motion to approve both Proposal #154 and Proposal #373 as amended; seconded.
- **PROPOSALS #373 AND #154 APPROVED AS AMENDED WITH NOTED FISCAL IMPACTS.**

374. Section E3501 Electrical definitions. [Charlie Eldridge]

- Proposed Amendment(s): Strike Definition (1) for "BRANCH CIRCUIT, GENERAL PURPOSE" from the proposal in entirety (2018 IRC model code definition for

BRANCH CIRCUIT, GENERAL PURPOSE will remain). In Definition (4) for "LBELED," underline "See the definition of LBELED in Section R202." The definitions provided are informative only, and not part of the proposed code change. In Definition (5) for "LISTED," underline "See the definition of LISTED in Section R202." The definitions provided are informative only, and not part of the proposed code change.

- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED.**

6. Lunch

The Committee recessed for lunch at 11:33 a.m., and reconvened at 12:18 p.m.

375. Section E3902.16 Arc-fault circuit-interrupter protection. [Steve Rood]

- Proposal #375 needed 2/3 of the Committee's votes to be opened for discussion (Four other proposals for code change to Section E3902.16 were denied by the Committee during previous meetings).
- **NOT OPENED FOR DISCUSSION – FAILED TO ACQUIRE 2/3 VOTES BY COMMITTEE TO BE OPENED FOR DISCUSSION.**

376. Section E4002.14 Tamper-resistant receptacles. [Kevin Arnold]

- Proposal #376 needed 2/3 of the Committee's votes to be opened for discussion (Proposal #328 was approved as submitted by the Committee at the 11/20/18 meeting).
- **NOT OPENED FOR DISCUSSION – FAILED TO ACQUIRE 2/3 VOTES BY COMMITTEE TO BE OPENED FOR DISCUSSION.**

377. Appendix Q Tiny Houses. [Randy Gulley]

- Proposed Amendment(s): Strike "This provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance." at the beginning of Appendix Q. In Section AQ104.2.2.1, change "200-pound (75 kg)" to "300-pound (136 kg)."
- Motion to deny, no second.
- **MOTION TO DENY FAILED FOR LACK OF A SECOND.**
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED.**

378. Appendixes F through T. [Craig Wagner]

- Proposed Amendment(s): Amend the proposed code change as follows: "Delete Appendixes F through P without substitution. Delete Appendixes R through T without substitution."
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED.**

379. Appendix Q Tiny Houses. [Phil Gettum]

- **WITHDRAWN.**

7. Other Business

Craig Wagner requested that a point of issue with previously submitted and approved proposal to Section 408.3 (Proposal #125) be brought to the Committee's attention. In a position letter attached to Proposal #367, representatives of the Southwestern Indiana Builders Association stated that they were in support of bringing forward/readopting the current Indiana Residential Code's amendment to Exception 5 of Section 408.2 [675 IAC 14-4.3-79(3)]. Even though this request was provided in the position letter, it was not provided on a proposal for code change form to be considered at the meeting by the Committee. Craig Wagner advised that this was an oversight, and was not included as part of Proposal #125, which was approved as amended by the Committee at the July 18, 2018 meeting. As such, Craig Wagner asked what the appropriate course of action would be to legally bring forward this amendment, even though the amendment was not submitted on the proposal for code change form.

Justin Guedel, Staff Attorney for IDHS, advised that the purpose of the proposal for code change form and its requirements allows the public to be provided notice and the opportunity to view the proposed code changes that will be considered by the Committee in advance of each meeting, so they public may decide if they will attend the meeting and provide comments. As such, Justin Guedel advised that he believed it would be more appropriate for this additional amendment to be submitted and brought forward at the public hearing of the Fire Prevention and Building Safety Commission's draft rule. With the knowledge that the public should be provided notice of the additional proposed code change, the Committee did not take any formal action to approve the requested change.

However, Chairman Furnish advised that it would probably be beneficial for the Committee to have a vote on the record that it fully supports readopting the current Indiana Residential Code's amendment to Exception 5 of Section 408.2, so that the Fire Prevention and Building Safety Commission will know that the Committee fully supports the addition of this amendment to the new draft rule. As such, Chairman Furnish asked the Committee if any members opposed the proposed additional amendment to be submitted at the public meeting. Hearing and seeing no objection from the Committee, Chairman Furnish stated that the minutes will note that the full eleven-member Committee fully supports re-adopting the current Indiana Residential Code's amendment to Exception 5 of Section 402.8 into the draft rule. Craig Wagner advised that he will revise Proposal #125 (Section 408.3 to incorporate this amendment, as well as the additional amendments approved by the Committee at the July 18, 2018 meeting, and he will submit this revised proposal for the Fire Prevention and Building Safety Commission's consideration at the public hearing.

8. Plan Forward/Next Steps (January/February 2019)

With the Committee's work in reviewing and approving proposed code changes to the 2018 IRC now complete, Chairman Furnish advised that the next step will be to develop a total fiscal impact report of the fiscal impact between the 2005 Indiana Residential Code to the 2018 International Residential Code (2018 IRC), combined with the IRCC's amendments to the 2018 IRC. Justin Guedel advised that no formal group has been established to develop this report, but Craig Wagner has offered to assist with the development of this report. After discussion, Mark Demerly volunteered to assist Craig Wagner with the development of this report. Craig Wagner advised that it would be helpful in the development of the report if they had an estimation of many of how houses will be one-story, two-story, three-story, include basements, include crawl spaces, and/or include slabs of the expected regulated construction over the course of the first year once the new Indiana Residential Code becomes effective. After discussion, the Committee determined that, of the expected construction, 1/3 of the houses will have basements, 1/3 of the houses will have crawl spaces, and 1/3 of the houses will have slabs, 30% of the homes will be one-story houses, 70% of the houses will be two-story houses, and three-story houses will be marginal. Chairman Furnish thanked Craig and Mark for volunteering to complete the report.

Justin Guedel advised that he is anticipating that the completed report will be forwarded to the Fire Prevention and Building Safety Commission along with the proposed draft rule for their vote and comment, and anyone will be able to provide comment on the report and the draft rule at that time as well. The Committee will be provided the completed report and draft rule as well. Doug Boyle advised that he will reorganize the approved amendments to include the amendments that were approved at today's meeting, and will make sure all of the Committee's approved amendments are reposted to the Committee's webpage (<http://www.in.gov/dhs/4201.htm>). All of the approved amendments will become the draft rule of the new Indiana Residential Code. Doug Boyle asked the Committee if everyone had a chance to review the approved amendments that have already been posted online, and if anyone found any errors or issues. Most of the members did not have a chance thoroughly review what had already been posted online.

Joe Heinsman asked if it would be possible for the Commission to approve Craig Wagner's additional revised amendment to Section 403.8 at the meeting in which the draft rule is presented to the Commission ahead of the public hearing, since the Commission has the authority to make any changes to the draft rule it sees fit. Justin Guedel advised that it would be possible to submit Craig's revised proposal along with the fiscal impact report and the proposed draft rule, and the Commission could vote to add the revised proposal to the proposed draft rule, if that is the will of the Commission. Doug Boyle cautioned that the Commission's meeting would not become a public hearing itself, in which anyone could submit additional proposals for code change for the Commission to immediately review. With all this being said, Doug Boyle advised the Committee that he will send the Committee regular updates as things progress, so that the members will be aware of every step and action taken on the proposed draft rule.

After additional discussion, Craig Wagner advised the Committee that he did find another error with a previously approved proposal that had been posted online. He advised the Committee that Proposal #44 – Section R309 Garages and Carports needed to be amended to add “and Section R310.” to the end of the provision of the added Section R309.6 Detached garages, carports, and accessory structures. The Committee voted to reopen Proposal #44 upon acquiring more than 2/3 of the Committee’s votes. Craig repeated that the needed amendment is to delete the period after Section R311 at the end of the added provision to Section R309.6, and add “and Section R310.” Mark Demerly made the motion to approve as amended. Randy Gulley seconded the motion. The motion was voted on and carried. Finally, Chairman Furnish reiterated that Doug Boyle will keep everyone up to date on how everything is progressing, and if the proposed draft rule will be presented to the Commission at its February or March 2019 meeting.

9. Adjournment

Chairman Furnish thanked the members of the Committee for their service and efforts in developing a new Indiana Residential Code, and thanked the members for their perfect attendance over the course of the year. Chairman Furnish adjourned the meeting at 1:43 p.m.